

**Congress of the United States**  
**Washington, DC 20515**

November 6, 2019

The Honorable R.D. James  
Assistant Secretary of the Army (Civil Works)  
United States Department of the Army  
108 Army Pentagon  
Washington, D.C. 20310-0108

Lieutenant General Todd Semonite  
Chief of Engineers  
U.S. Army Corps of Engineers  
441 G Street, NW  
Washington, D.C. 20314-1000

Dear Secretary James and General Semonite,

We are writing to respectfully request inclusion in the Army Corps of Engineers (Corps) Fiscal Year 2020 Work Plan of funding for Phase I and Phase II of the Lower San Joaquin River flood risk management project. The Corps is partnering with the San Joaquin Area Flood Control Agency (SJAFA) and the State of California to advance these critical flood damage reduction efforts. The specific funding requests are:

1. The Lower San Joaquin River Flood Risk Management Project (New Start, Construction): \$20,000,000
2. The Lower San Joaquin River Feasibility Study, Phase II: \$1,500,000

Lower San Joaquin River Flood Risk Management Project

On July 31, 2018 the Chief of the Army Corps of Engineers signed the Chief's Report for the preferred flood risk management plan for a large portion of the Stockton metropolitan area. That plan, which is now called the Lower San Joaquin River Flood Risk Management Project (henceforth referred to as the "project"), will help protect an estimated 125,000 residents in this region and provide an estimated 84 percent reduction in expected annual property damage. In addition, it will increase the resilience of 262 critical infrastructure sites, 12 of which are considered essential to life safety. Moreover, the economic analysis is noteworthy as it shows that the project will be a tremendous value to the federal taxpayer as its benefit to cost ratio is 7 to 1 at the statutory rate. The project was authorized by Congress and signed into law by the President on October 23, 2018 (P.L. 115-270, America's Water Infrastructure Act).

We were pleased that the Work Plans for FY 2018 and FY 2019 contained a combined \$4.125 million in funding for the project's first segment of preconstruction, engineering, and design (PED) work. Those funds, in combination with non-federal funds, are expected to cover the majority of the costs of the project's initial PED phase.

With the signing of the Design Agreement in May 2019, PED activities are well underway. Further federal investment will need to be provided through the construction account to ensure that this critical project is completed according to its proposed timeline. As such, we respectfully request the designation of \$20 million in New Start construction account funding for this critical project in the FY 2020 Work Plan.

#### Lower San Joaquin River Feasibility Study (Phase II)

As recommended in the Chief's Report for the Lower San Joaquin River Feasibility Study (LSJRFS), as well further instructed by Congress through section 1203 of P.L. 115-270, a critical second phase of this feasibility study also needs to be expeditiously completed. Moreover, as the Chief's Report clearly outlines, advancing the LSJRFS Phase II represents "continuing work under the existing study."

The study area designated in Phase II of the plan, called Mossdale Tract, was originally intended for incorporation as part of a single, unified LSJRFS. However, several years ago the Corps signaled a concern that the area may potentially lie within a 100-year floodplain, depending upon how that floodplain is defined. If this was determined to be the case, Executive Order 11988, which discourages federal participation in the construction of flood mitigation measures in areas deemed to fall within a 100-year floodplain, would apply.

Several years have passed since the E.O. 11988 issue was raised by the Corps and to date the agency has yet to make a determination on this question. This inaction resulted in the exclusion of the Mossdale Tract area from the LSJRFS Selected Plan (Phase I) and is why a Phase II study to examine flood mitigation proposals for this at-risk area is needed.

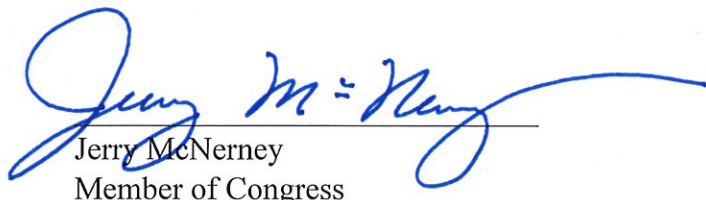
Urgency to advance the LSJRFS Phase II is further compounded by a 2007 California State law (SB 5) which requires a 200-year level of flood protection for urban areas in the Central Valley by 2025. To understand the regional impact, the second phase of the LSJRFS will determine the feasibility of constructing flood control measures to protect:

- More than 50,000 residents in the Cities of Lathrop, Manteca and Stockton;
- Lathrop's City Hall;
- Multiple police and fire stations;
- San Joaquin County Hospital;
- San Joaquin County Jail;
- A future Veterans Administration Community Based Outpatient Clinic and Living Center;
- Numerous schools;
- A children's home;
- Interstate 5 (which is a major North/South route that carries 115,000 vehicles per day);
- State Highway 120; and
- Local railroads


As such, we are respectfully requesting that \$1.5 million be included in the FY 2020 Work Plan to advance the continuation of Phase II of the LSJRFS as set forth in the Chief's Report for Phase I.

We greatly appreciate your consideration of these funding requests, as both initiatives described above will play a critically important role in providing our constituents with adequate protection against a major flood event. We look forward to working with you to advance both Phase I and Phase II of the Lower San Joaquin River flood projects and are happy to answer any questions you may have.

Sincerely,



Jerry McNerney  
Member of Congress



Josh Harder  
Member of Congress